

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

GREGORY HALPRIN, ET AL

Plaintiffs,

v.

FIRST NATIONAL BANK, ET AL

Defendants.

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CIVIL ACTION FILE NUMBER

SA-13-CV-1042—OLG

**SHERER & ASSOCIATES, PLLC'S MOTION TO WITHDRAW AS ATTORNEYS IN
CHARGE OF DEFENDANT ROBERT GANDY**

Sherer & Associates, PLLC asks this Court to allow it to withdraw as the attorneys in charge for Defendant Robert Gandy.

1. Plaintiffs sued Defendant Robert Gandy “as a current or former capacity [sic] with First National Bank.” *See* Plaintiffs’ Fifth Amended Complaint at 7. Sherer & Associates, PLLC was hired by First National Bank to defend it in this lawsuit and, because Mr. Gandy was employed by the bank at the time the lawsuit was filed, the firm’s representation included the defense of Plaintiffs’ claims against Mr. Gandy.

2. On September 13, 2013, First National Bank was closed and the Federal Deposit Insurance Corporation (“FDIC”) was appointed as Receiver for First National Bank. Sherer & Associates, PLLC now represents the FDIC in this lawsuit, however, because Mr. Gandy does not work for the FDIC or any successor-in-interest to First National Bank, Sherer & Associates, PLLC can no longer represent Mr. Gandy.

3. Robert Gandy approves the withdrawal as evidenced by his signature below.
The withdrawal will not delay these proceedings.

4. Therefore, there is good cause for this Court to grant the motion to withdraw.

5. Mr. Gandy has decided not to appoint a substitute attorney at this time. Mr. Gandy's contact information is as follows:

Mr. Robert Gandy
200 S. 10th Street, Suite 1208
McAllen, Texas 78501
(956) 631-8479—Telephone

6. There are no pending settings or deadlines in this case.

WHEREFORE, PREMISES CONSIDERED, Sherer & Associates, PLLC asks the Court to grant its Motion to Withdraw as Attorney in Charge for Defendant Robert Gandy.

Respectfully submitted,

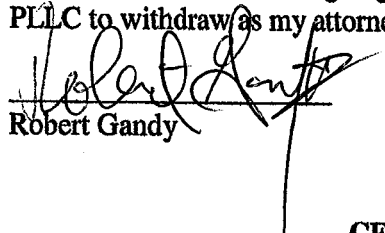
Sherer & Associates, PLLC

By: 

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CERTIFICATE OF AGREEMENT

I have read the foregoing Motion to Withdraw and agree to allow Sherer & Associates, PLLC to withdraw as my attorneys in this case.


Robert Gandy

CERTIFICATE OF CONFERENCE

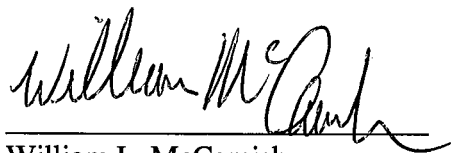
On July 24, 2014, I sent a letter to all counsel of record and *pro se* parties in this case as my attempt to confer regarding the foregoing motion. Ernesto Martinez, Jr. and Rick Rodriguez were the only individuals who indicated they were opposed to the granting of the relief sought herein.


William L. McCamish

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on August 15, 2014, this document was electronically filed with the Clerk of this Court **using the CM/ECF system**, which will serve a copy on all counsel of record, and also that a copy of this document was served on all of the individuals listed below by certified mail, return receipt requested.

Carlos Miguel Padilla 10526 Tiger Way San Antonio, TX 78257	Mauro Joe Padilla 10526 Tiger Way San Antonio, TX 78257
Dan Brown 14350 Northbrook Drive, Suite 150 San Antonio, TX 78232	Mauro T. Padilla 10526 Tiger Way San Antonio, TX 78257
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Robert Gandy 200 S. 10 th Street, Suite 1208 McAllen, TX 78501	David Rogers P.O. Box 1077 Edinburg, TX 78539



William L. McCamish